

EXHIBIT E

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE NEW ENGLAND COMPOUNDING)	
PHARMACY, INC. PRODUCTS LIABILITY)	
LITIGATION)	
)	MDL No. 2419
THIS DOCUMENT RELATES TO:)	Dkt. No 1:13-md-2419 (RWZ)
)	
Suits Naming Specialty Surgery Center, PLLC)	
)	

**SSC DEFENDANTS' PRIVILEGE LOG FOR DOCUMENTS PRODUCED BY
CUMBERLAND MEDICAL CENTER**

Defendants Specialty Surgery Center, Crossville, PLLC (“SSC”), Kenneth R. Lister, MD (“Dr. Lister”), and Kenneth Lister, MD, PC (“Dr. Lister’s Practice”) (collectively, “SSC Defendants”) submit the following privilege log for the documents produced by Cumberland Medical Center and reviewed for privilege by the SSC Defendants’ pursuant to Magistrate Boal’s order at Doc. 3015.

The privilege log is divided into two separate tables:

Table 1 identifies (1) the files that contain redactions by Bates-number, (2) the privilege(s) applicable to each redacted file, and (3) a description of the redacted information.

Table 2 identifies (1) the categories of documents withheld entirely, (2) the privilege(s) applicable to each category, (3) a description of the information withheld, (4) the senders/recipients of each category of documents, and (5) the estimated number of files withheld for each category.

TABLE 1

Description of Information Redacted	Privilege Asserted	Bates-Numbered Page(s)
Information pertaining to activities as part of SSC's Quality Improvement program specifically related to physician conduct, competency, and ability to practice medicine, including the results of physicians' review of medical records for randomly-selected patients of other SSC physicians; incidents that occurred during procedures, investigations, and corrective action (e.g., hypoxic events, allergic reactions, etc.); reports of post-operative infections, investigation, and corrective action; reports of post-operative admissions, investigation, and corrective action; sentinel event reports; root cause analyses; reports of surgical delays caused by physicians and corrective action; grant and revocation of privileges at SSC; credentialing; coding/billing audits and corrective actions recommended by Calisher & Associates; a benchmark study on physician Propofol usage and corrective action; an issue involving a ASA Level IV patient and corrective	Quality Improvement Privilege, Tenn. Code Ann. § 68-11-272; Peer Review Privilege, Tenn. Code Ann. § 63-6-219	CMC Subpoena Response E-Discovery 0009580 CMC Subpoena Response E-Discovery 0009582 CMC Subpoena Response E-Discovery 0009594 CMC Subpoena Response E-Discovery 0009636 CMC Subpoena Response E-Discovery 0009641 CMC Subpoena Response E-Discovery 0009969 CMC Subpoena Response E-Discovery 0009985 CMC Subpoena Response E-Discovery 0009988 CMC Subpoena Response E-Discovery 0009988 CMC Subpoena Response E-Discovery 0010024 CMC Subpoena Response E-Discovery 0010029 CMC Subpoena Response E-Discovery 0010037 CMC Subpoena Response E-Discovery 0010041 CMC Subpoena Response E-Discovery 0010045 CMC Subpoena Response E-Discovery 0010082 CMC Subpoena Response E-Discovery 0010084 CMC Subpoena Response E-Discovery 0010088 CMC Subpoena Response E-Discovery 0010089 CMC Subpoena Response E-Discovery 0010090 CMC Subpoena Response E-Discovery 0010091 CMC Subpoena Response E-Discovery 0010092 CMC Subpoena Response E-Discovery 0010095 CMC Subpoena Response E-Discovery 0010097 CMC Subpoena Response E-Discovery 0010099 CMC Subpoena Response E-Discovery 0010101 CMC Subpoena Response E-Discovery 0010102 CMC Subpoena Response E-Discovery 0010105

action; and an issue involving diversion of controlled substances by a physician who left SSC several years before the outbreak and his subsequent enrollment in a Tennessee Medical Foundation program for substance abuse.	CMC Subpoena Response E-Discovery 0010107 CMC Subpoena Response E-Discovery 0010110 CMC Subpoena Response E-Discovery 0010112 CMC Subpoena Response E-Discovery 0010114 CMC Subpoena Response E-Discovery 0010116 CMC Subpoena Response E-Discovery 0010118 CMC Subpoena Response E-Discovery 0034440 CMC Subpoena Response E-Discovery 0049832 CMC Subpoena Response E-Discovery 0049850 CMC Subpoena Response E-Discovery 0049864 CMC Subpoena Response E-Discovery 0133014 CMC Subpoena Response E-Discovery 0143878 CMC Subpoena Response E-Discovery 0144251
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Emails between Jean Atkinson and counsel ¹ containing advice or information from counsel, seeking advice or information from counsel, or providing information to counsel for the purposes of obtaining advice from counsel, or emails containing information prepared in anticipation of litigation.	<p>Attorney-Client Privilege; Work Product Doctrine; Common-Interest/Joint Defense Privilege</p> <p>CMC Subpoena Response E-Discovery 0139351 CMC Subpoena Response E-Discovery 0139354 CMC Subpoena Response E-Discovery 0139413 CMC Subpoena Response E-Discovery 0139497 CMC Subpoena Response E-Discovery 0139565 CMC Subpoena Response E-Discovery 0140204 CMC Subpoena Response E-Discovery 0140211 CMC Subpoena Response E-Discovery 0140248 CMC Subpoena Response E-Discovery 0140254 CMC Subpoena Response E-Discovery 0140393 CMC Subpoena Response E-Discovery 0140404 CMC Subpoena Response E-Discovery 0140406 CMC Subpoena Response E-Discovery 0140434 CMC Subpoena Response E-Discovery 0140655 CMC Subpoena Response E-Discovery 0140720 CMC Subpoena Response E-Discovery 0141183 CMC Subpoena Response E-Discovery 0141516 CMC Subpoena Response E-Discovery 0142588 CMC Subpoena Response E-Discovery 0145253 CMC Subpoena Response E-Discovery 0145254 CMC Subpoena Response E-Discovery 0145296 CMC Subpoena Response E-Discovery 0145298 CMC Subpoena Response E-Discovery 0145436 CMC Subpoena Response E-Discovery 0145518 CMC Subpoena Response E-Discovery 0145647 CMC Subpoena Response E-Discovery 0145650 CMC Subpoena Response E-Discovery 0146203 CMC Subpoena Response E-Discovery 0146267 CMC Subpoena Response E-Discovery 0147040</p>
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¹ Gideon, Cooper & Essary, PLLC and/or Peter Striange.

<p>Email from Kim Bowlin to Calisher & Associates² conveying substance of discussion between Jean Atkinson and counsel.</p>	<p>Attorney-Client Privilege; Work Product Doctrine; Common-Interest/Joint Defense Privilege</p>	<p>CMC Subpoena Response E-Discovery 0140406 CMC Subpoena Response E-Discovery 0145518 CMC Subpoena Response E-Discovery 0145650</p>
	<p>Email exchange between Kim Bowlin and counsel conveying information on behalf of Jean Atkinson due to a failure of Jean Atkinson's computer.</p>	<p>Attorney-Client Privilege; Work Product Doctrine; Common-Interest/Joint Defense Privilege</p>

² Ron Calisher, Gina Calisher, Kevin Calisher, and/or Brandon Kowarsky.

³ John Culcasure, MD, Debra Schamberg, Greg Lanford, MD, Scott Butler, Dawn Rudolph, Dale Batchelor, MD, Craig Polkow, and/or Berry Holt.

⁴ References to Dr. Jones also include Joy Day, who worked in Dr. Jones' office.

Information undertaken as part of SSC's Continuous Quality Improvement program, including nursing chart audits and corrective action; patient satisfaction survey results; investigations of equipment malfunctions affecting patient care and corrective actions; coding/billing audits and corrective actions recommended by Calisher & Associates; procedure cancellations and delays and corrective actions; results of pharmaceutical audit from pharmacist Tommy Arms; medication errors and corrective actions; patient incidents not involving physician conduct and corrective action (e.g., patient falls); periodic review of facility by Jean Atkinson or Calisher & Associates and corrective action (e.g. ensuring shelving in storage room is appropriate height above floor as required by applicable regulations, overall workflow and efficiency of facility, etc.); results of licensing and accreditation surveys and corrective action; HIPAA incidents, investigations, and corrective action; incorrect narcotic counts, investigation, and corrective action; Propofol usage study and corrective action; study on appropriate hair removal prior to surgery and	Tenn. Code Ann. § 68-11-272	Quality Improvement Privilege, CMC Subpoena Response E-Discovery 0009591 CMC Subpoena Response E-Discovery 0009593 CMC Subpoena Response E-Discovery 0009599 CMC Subpoena Response E-Discovery 0009605 CMC Subpoena Response E-Discovery 0009608 CMC Subpoena Response E-Discovery 0009610 CMC Subpoena Response E-Discovery 0009612 CMC Subpoena Response E-Discovery 0009613 CMC Subpoena Response E-Discovery 0009618 CMC Subpoena Response E-Discovery 0009622 CMC Subpoena Response E-Discovery 0009628 CMC Subpoena Response E-Discovery 0009632 CMC Subpoena Response E-Discovery 0009645 CMC Subpoena Response E-Discovery 0009647 CMC Subpoena Response E-Discovery 0009650 CMC Subpoena Response E-Discovery 0009653 CMC Subpoena Response E-Discovery 0009657 CMC Subpoena Response E-Discovery 0009670 CMC Subpoena Response E-Discovery 0009679 CMC Subpoena Response E-Discovery 0009906 CMC Subpoena Response E-Discovery 0009964 CMC Subpoena Response E-Discovery 0009975 CMC Subpoena Response E-Discovery 0009979 CMC Subpoena Response E-Discovery 0009983 CMC Subpoena Response E-Discovery 0009992 CMC Subpoena Response E-Discovery 0009995 CMC Subpoena Response E-Discovery 0009999 CMC Subpoena Response E-Discovery 0010004 CMC Subpoena Response E-Discovery 0010005 CMC Subpoena Response E-Discovery 0010012 CMC Subpoena Response E-Discovery 0010016 CMC Subpoena Response E-Discovery 0010017 CMC Subpoena Response E-Discovery 0010018
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corrective action; study on pain management patients completed without payment to SSC and corrective action; a report from a program to improve safe injection practices at SSC; a report from a study of sterile trays after wrappers were found to have holes in them and corrective action; study on proper administration of antibiotics prior to general surgery and corrective action; report from a study monitoring radiation dosimetry; results of study on patient signatures on forms regarding HIPAA and corrective action; results of pre-op procedure wait time and discharge time and corrective actions; results and corrective action from an internal audit on HIPAA compliance; sentinel event reports; root cause analyses; an issue with the care provided by a CRNA during non-pain management cases; an issue with patients sexually harassing staff members and corrective action; results of study on patient follow-up calls and corrective action; results of a study on supply costs for endoscopy and pain management and corrective action; an issue with excessive condensation in the operating room and corrective action; discussion about reducing clinical staff.		

	CMC Subpoena Response E-Discovery 0150492 CMC Subpoena Response E-Discovery 0158870 CMC Subpoena Response E-Discovery 0160119 CMC Subpoena Response E-Discovery 0163334 CMC Subpoena Response E-Discovery 0163969 CMC Subpoena Response E-Discovery 0166785 CMC Subpoena Response E-Discovery 0181022 CMC Subpoena Response E-Discovery 0181229 CMC Subpoena Response E-Discovery 0182533 CMC Subpoena Response E-Discovery 0183359 CMC Subpoena Response E-Discovery 0183580 CMC Subpoena Response E-Discovery 0186122 CMC Subpoena Response E-Discovery 0186738 CMC Subpoena Response E-Discovery 0194252 CMC Subpoena Response E-Discovery 0194345 CMC Subpoena Response E-Discovery 0211489 CMC Subpoena Response E-Discovery 0218090 CMC Subpoena Response E-Discovery 0218304 CMC Subpoena Response E-Discovery 0219790 CMC Subpoena Response E-Discovery 0221911
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Supervisor comments on employee evaluations which improvements/deficiencies in activities involving patient care.	Quality Improvement Privilege, Tenn. Code Ann. § 68-11-272	CMC Subpoena Response E-Discovery 0058120 CMC Subpoena Response E-Discovery 0139520 CMC Subpoena Response E-Discovery 0139533 CMC Subpoena Response E-Discovery 0141083 CMC Subpoena Response E-Discovery 0141200 CMC Subpoena Response E-Discovery 0141592 CMC Subpoena Response E-Discovery 0141598 CMC Subpoena Response E-Discovery 0141721 CMC Subpoena Response E-Discovery 0143875 CMC Subpoena Response E-Discovery 0143892 CMC Subpoena Response E-Discovery 0147421 CMC Subpoena Response E-Discovery 0147539 CMC Subpoena Response E-Discovery 0156762 CMC Subpoena Response E-Discovery 0180810 CMC Subpoena Response E-Discovery 0183361 CMC Subpoena Response E-Discovery 0183366 CMC Subpoena Response E-Discovery 0188007 CMC Subpoena Response E-Discovery 0188013 CMC Subpoena Response E-Discovery 0189088 CMC Subpoena Response E-Discovery 0189094 CMC Subpoena Response E-Discovery 0193655 CMC Subpoena Response E-Discovery 0193660 CMC Subpoena Response E-Discovery 0193667 CMC Subpoena Response E-Discovery 0193668 CMC Subpoena Response E-Discovery 0193674 CMC Subpoena Response E-Discovery 0193686 CMC Subpoena Response E-Discovery 0194346 CMC Subpoena Response E-Discovery 0195568 CMC Subpoena Response E-Discovery 0195824 CMC Subpoena Response E-Discovery 0223629 CMC Subpoena Response E-Discovery 0223630 CMC Subpoena Response E-Discovery 0223636
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Non-Plaintiff patient information	HIPAA	CMC Subpoena Response E-Discovery 0009594 CMC Subpoena Response E-Discovery 0016342 CMC Subpoena Response E-Discovery 0016373 CMC Subpoena Response E-Discovery 0016395 CMC Subpoena Response E-Discovery 0016412 CMC Subpoena Response E-Discovery 0016434 CMC Subpoena Response E-Discovery 0016445 CMC Subpoena Response E-Discovery 0016468 CMC Subpoena Response E-Discovery 0016480 CMC Subpoena Response E-Discovery 0016497 CMC Subpoena Response E-Discovery 0016500 CMC Subpoena Response E-Discovery 0016526 CMC Subpoena Response E-Discovery 0016535 CMC Subpoena Response E-Discovery 0016544 CMC Subpoena Response E-Discovery 0016557 CMC Subpoena Response E-Discovery 0016585 CMC Subpoena Response E-Discovery 0016591 CMC Subpoena Response E-Discovery 0016604 CMC Subpoena Response E-Discovery 0016612 CMC Subpoena Response E-Discovery 0016634 CMC Subpoena Response E-Discovery 00166604 CMC Subpoena Response E-Discovery 0016681 CMC Subpoena Response E-Discovery 0016687 CMC Subpoena Response E-Discovery 0016791 CMC Subpoena Response E-Discovery 0016810 CMC Subpoena Response E-Discovery 0016837 CMC Subpoena Response E-Discovery 0016856 CMC Subpoena Response E-Discovery 0016868 CMC Subpoena Response E-Discovery 0016884 CMC Subpoena Response E-Discovery 0016891 CMC Subpoena Response E-Discovery 0016895 CMC Subpoena Response E-Discovery 0016904 CMC Subpoena Response E-Discovery 0016920
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	Sensitive and irrelevant financial data, including amounts of distributions to SSC members, ⁵ revenue/income, and SSC asset values	Financial information CMC Subpoena Response E-Discovery 0001629 CMC Subpoena Response E-Discovery 0022785 CMC Subpoena Response E-Discovery 0023858 CMC Subpoena Response E-Discovery 0025282 CMC Subpoena Response E-Discovery 0025285 CMC Subpoena Response E-Discovery 0025288 CMC Subpoena Response E-Discovery 0025290 CMC Subpoena Response E-Discovery 0025292 CMC Subpoena Response E-Discovery 0025294 CMC Subpoena Response E-Discovery 0025296 CMC Subpoena Response E-Discovery 0025298 CMC Subpoena Response E-Discovery 0025300 CMC Subpoena Response E-Discovery 0025302 CMC Subpoena Response E-Discovery 0025304 CMC Subpoena Response E-Discovery 0025306 CMC Subpoena Response E-Discovery 0025308 CMC Subpoena Response E-Discovery 0025310 CMC Subpoena Response E-Discovery 0025312 CMC Subpoena Response E-Discovery 0025320 CMC Subpoena Response E-Discovery 0026862 CMC Subpoena Response E-Discovery 0026911 CMC Subpoena Response E-Discovery 0026932 CMC Subpoena Response E-Discovery 0026952 CMC Subpoena Response E-Discovery 0026979

⁵ Dr. Lister, Jon Simpson, MD, Donathan Ivey, MD, Susan Pick, MD, Mark Fox, MD, Mark Lee, MD, and/or Robert Nichols, MD.

	CMC Subpoena Response E-Discovery 0027006
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	CMC Subpoena Response E-Discovery 0221489
	CMC Subpoena Response E-Discovery 0221700
	CMC Subpoena Response E-Discovery 0221911
	CMC Subpoena Response E-Discovery 0222120
	CMC Subpoena Response E-Discovery 0222328
	CMC Subpoena Response E-Discovery 0223620
	CMC Subpoena Response E-Discovery 0225721
	CMC Subpoena Response E-Discovery 0225725
	CMC Subpoena Response E-Discovery 0225964
	CMC Subpoena Response E-Discovery 0225966
	CMC Subpoena Response E-Discovery 0225984
	CMC Subpoena Response E-Discovery 0228672

TABLE 2

Description of Information Withheld	Senders/Recipients	Privilege Asserted	Files Withheld ⁶
Emails between Jean Atkinson and counsel containing advice or information from counsel, seeking advice or information from counsel, or providing information to counsel for the purposes of obtaining advice from counsel, or emails containing information prepared in anticipation of litigation.	Jean Atkinson, counsel, Kim Bowlin, SSC members, Calisher & Associates, STOPNC/Howell Allen, and/or Dr. Jones	Attorney-Client Privilege; Work Product Doctrine; Common-Interest/Joint Defense Privilege	36
Email exchange between Jean Atkinson and counsel containing advice or information from counsel, seeking advice or information from counsel, or providing information to counsel for the purposes of obtaining advice from counsel, or emails containing information prepared in anticipation of litigation, which Kim Bowlin forwarded to Calisher & Associates and SSC members.	Jean Atkinson, counsel, Kim Bowlin, Calisher & Associates, and/or SSC members	Attorney-Client Privilege; Work Product Doctrine; Common-Interest/Joint Defense Privilege	1

⁶ Estimated.

<p>Email exchange between Jean Atkinson and counsel containing advice or information from counsel, seeking advice or information from counsel, or providing information to counsel for the purposes of obtaining advice from counsel, or emails containing information prepared in anticipation of litigation, which Kim Bowlin forwarded to Calisher & Associates.</p>	<p>Jean Atkinson, counsel, Kim Bowlin, and/or Calisher & Associates</p> <p>1</p> <p>Attorney-Client Privilege; Work Product Doctrine; Common-Interest/Joint Defense Privilege</p>
<p>Email exchange between Jean Atkinson, STOPNC/Howell Allen, Dr. Jones, Dr. Lister, and counsel containing advice or information from counsel, seeking advice or information from counsel, or providing information to counsel for the purposes of obtaining advice from counsel, or emails containing information prepared in anticipation of litigation, which Jean Atkinson forwarded to Calisher & Associates and Kim Bowlin.</p>	<p>STOPNC/Howell Allen, Dr. Jones, Jean Atkinson, counsel, Kim Bowlin, Calisher & Associates, and/or SSC members</p> <p>1</p> <p>Attorney-Client Privilege; Work Product Doctrine; Common-Interest/Joint Defense Privilege</p>

<p>Email from counsel to STOPNC/Howell Allen, Dr. Jones, Kim Bowlin, and Dr. Lister containing advice or information from counsel, seeking advice or information from counsel, or providing information to counsel for the purposes of obtaining advice from counsel, or emails containing information prepared in anticipation of litigation, which Kim Bowlin forwarded to Calisher & Associates and SSC members.</p>	<p>STOPNC/Howell Allen, Dr. Jones, Kim Bowlin, Calisher & Associates, and/or SSC members</p>	<p>Attorney-Client Privilege; Work Product Doctrine; Interest/Joint Defense Privilege</p>	<p>3</p>
<p>Email from counsel to STOPNC/Howell Allen, Dr. Jones, Kim Bowlin, and Dr. Lister containing advice or information from counsel, seeking advice or information from counsel, or providing information to counsel for the purposes of obtaining advice from counsel, or emails containing information prepared in anticipation of litigation, which Kim Bowlin forwarded to Jean Atkinson, Calisher & Associates, and SSC members.</p>		<p>Attorney-Client Privilege; Work Product Doctrine; Interest/Joint Defense Privilege</p>	<p>6</p>

<p>1</p> <p>STOPNC/Howell Allen, Dr. Jones, Jean Atkinson, counsel, Kim Bowlin, Calisher & Associates, and/or Dr. Lister</p> <p>Atkinson, seeking advice or information from counsel, or providing information to counsel for the purposes of obtaining advice from counsel, or emails containing information prepared in anticipation of litigation, which Kim Bowlin forwarded to Jean Atkinson and Calisher & Associates.</p>	<p>Attorney-Client Privilege; Work Product Doctrine; Common-Interest/Joint Defense Privilege</p>
<p>2</p> <p>STOPNC/Howell Allen, Dr. Jones, Jean Atkinson, counsel, Dr. Lister, and/or Kim Bowlin</p> <p>Atkinson, seeking advice or information from counsel, or providing information to counsel for the purposes of obtaining advice from counsel, or emails containing information prepared in anticipation of litigation, which Kim Bowlin forwarded to Jean Atkinson.</p>	<p>Attorney-Client Privilege; Work Product Doctrine; Common-Interest/Joint Defense Privilege</p>

<p>Email from counsel to STOPNC/Howell Allen, Dr. Jones, Kim Bowlin, and Dr. Lister containing advice or information from counsel, seeking advice or information from counsel, or providing information to counsel for the purposes of obtaining advice from counsel, or emails containing information prepared in anticipation of litigation, which Kim Bowlin forwarded to Calisher & Associates.</p>	<p>STOPNC/Howell Allen, Dr. Jones, counsel, Kim Bowlin, Dr. Lister, and/or Calisher & Associates</p>	<p>Attorney-Client Privilege; Work Product Doctrine; Common-Interest/Joint Defense Privilege</p>	<p>3</p>
<p>Email exchange between Kim Bowlin and counsel and counsel updating counsel on the status of Jean Atkinson's execution of an affidavit for the TN Board of Pharmacy's board action against SSC and Barry Cadden</p>	<p>Kim Bowlin and counsel</p>	<p>Attorney-Client Privilege; Work Product Doctrine; Common-Interest/Joint Defense Privilege</p>	<p>1</p>
		<p>Emails between STOPNC/Howell Allen or Dr. Jones and counsel containing advice or information from counsel, seeking advice or information from counsel, or providing information to counsel for the purposes of obtaining advice from counsel, or emails containing information prepared in anticipation of litigation.</p>	<p>STOPNC/Howell Allen counsel, and Kim Bowlin, SVMIC claims attorneys, Jean Atkinson, SSC members, and/or Calisher & Associates</p>
			<p>105</p>

<p>Email discussion about performing lumbar punctures during meningitis outbreak at SSC due to Cumberland Medical Center's inability to handle volume and attendant credentialing and potential safety issues.</p>	<p>Counsel, SVMIC claims attorney, SSC members, Calisher & Associates, and/or Kim Bowlin</p>	<p>Quality Improvement Privilege, Tenn. Code Ann. § 68-11-272; Peer Review Privilege Tenn. Code Ann. § 63-6-219</p>	<p>3</p>
<p>Email exchange about credentialing/re-credentialing Dr. Lister in March 2013</p>	<p>Kim Bowlin and Dr. Lister</p>	<p>Quality Improvement Privilege, Tenn. Code Ann. § 68-11-272; Peer Review Privilege Tenn. Code Ann. § 63-6-219</p>	<p>1</p>
<p>Email exchange about Dr. Lister's credentialing in June 2012</p>	<p>Kim Bowlin and Gina Calisher</p>	<p>Quality Improvement Privilege, Tenn. Code Ann. § 68-11-272; Peer Review Privilege Tenn. Code Ann. § 63-6-219</p>	<p>1</p>
<p>Letter dated November 11, 2012 from Gina Calisher to SSC members about potential HIPAA issues sending protected health information via email and proposed corrective action.</p>	<p>Gina Calisher, SSC members, and/or Kim Bowlin</p>	<p>Quality Improvement Privilege, Tenn. Code Ann. § 68-11-272</p>	<p>3 copies of same letter</p>

<p>Letter dated December 15, 2009 from Calisher & Associates to SSC members regarding review of clinical staff training, education, and experience with proposed corrective action.</p>	<p>Calisher & Associates and SSC members</p>	<p>Quality Improvement Privilege, Tenn. Code Ann. § 68-11-272</p>	<p>1</p>
<p>Email discussion in January 2013 about safety of restarting injections in patients who received contaminated MPA, with input provided by consulting infectious disease specialists.</p>	<p>Dr. Lister, Kim Bowlin, and/or counsel</p>	<p>Quality Improvement Privilege, Tenn. Code Ann. § 68-11-272</p>	<p>2</p>
<p>Email in August 2011 about CRNAs writing orders and giving verbal orders and required sign-off by physician/anesthesiologist and corrective action.</p>	<p>Kim Bowlin and Calisher & Associates</p>	<p>Quality Improvement Privilege, Tenn. Code Ann. § 68-11-272</p>	<p>1</p>
<p>Email discussion in January 2012 about root cause analysis for missing narcotics, root cause analysis form, investigation, and corrective action.</p>	<p>Jean Atkinson, Calisher & Associates, and/or Kim Bowlin</p>	<p>Quality Improvement Privilege, Tenn. Code Ann. § 68-11-272</p>	<p>4</p>

Respectfully submitted,

GIDEON, COOPER & ESSARY, PLC

/s/ Matthew H. Cline

C.J. Gideon, Jr.*

Chris J. Tardio*

Alan S. Bean**

Matthew H. Cline*

315 Deaderick Street, Suite

Nashville, TN 37238

Ph: (615) 254-0400

Fax: (515) 254-0459

matt@gideoncooper.com

Attorneys for SSC and Jean Atkinson, RN

/s/ Kent E. Krause

PARKS T. CHASTAIN**

KENT E. KRAUSE**

ASHLEY E. GENO**

Attorneys for Defendant, Specialty Surgery Center,
PLLC

**BREWER, KRAUSE, BROOKS & CHASTAIN,
PLLC**

P. O. Box 23890

Nashville, TN 37202-3890

(615) 256-8787 (PTC)

(615) 256-8985 (Fax)

pchastain@bkblaw.com

kkrause@bkblaw.com

ageno@bkblaw.com

* Admitted pursuant to MDL Order No. 1

** Admitted *pro hac vice*.

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of November, 2016, a true and accurate copy of the foregoing was served on the following by electronic mail.

Ben Gastel Anthony Orlandi Branstetter, Stranch & Jennings, PLLC The Freedom Center 223 Rosa L. Parks Ave. Suite 200 Nashville, TN 37203 beng@BSJFirm.com aorlandi@bsifirm.com	John W. Moran LeClairRyan One International Place, Eleventh Floor Boston, Massachusetts 02110 (617) 502-8212 Direct (617) 502-8262 Fax John.Moran@leclairryan.com
<i>Attorneys for the PSC</i>	<i>Attorneys for Calisher & Associates</i>

/s/ Matthew H. Cline

Matthew H. Cline